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SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, PITCAIRN, ST. HELENA, TOKELAU, TURKS AND CAICOS ISLANDS AND UNITED STATES VIRGIN ISLANDS

Consolidated resolution adopted by the Special Committee at its 1451st meeting, on 18 July 1995

A. General

The Special Committee,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands,

Having examined the report of the Subcommittee on Small Territories, Petitions, Information and Assistance, 1/

Recognizing that 1995 is the fiftieth anniversary of the United Nations and that decolonization is one of the proudest achievements of the Organization,

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its forty-ninth session on the individual Territories covered by the present resolution,

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1/ A/AC.109/L.1829.

Recognizing that the specific characteristics and the sentiments of the people of the remaining Non-Self-Governing Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Recalling General Assembly resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Noting with appreciation the continuing exemplary cooperation of New Zealand as administering Power in the work of the Special Committee, and welcoming its statement that it will abide by the wishes of the population of Tokelau in determining their future political status,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter of the United Nations to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Non-Self-Governing Territories to decide their future status,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Aware of the usefulness, both to the Territories and to the Special Committee, of the participation of appointed and elected representatives of Non-Self-Governing Territories in the work of the Special Committee,

Expressing its conviction that referendums and other forms of popular consultation on the future status of the Non-Self-Governing Territories are an appropriate means of ascertaining the wishes of the peoples in those Territories with regard to their future political status,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Non-Self-Governing Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Mindful also that some Territories have not had any United Nations visiting mission for a long period of time,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

1. Approves the report of the Subcommittee on Small Territories, Petitions, Information and Assistance relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands; 1/

2. Reaffirms the inalienable right of the people of those Territories to self-determination, including independence, in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Reaffirms also that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV);

4. Requests the administering Powers to ascertain expeditiously, by means of popular consultations, the wishes and aspirations of the peoples of Non-Self-Governing Territories regarding their future political status so that the Special Committee can review the status of the Territories in accordance with the expressed wishes of the peoples of the Territories;

5. Requests the administering Powers to facilitate the dispatch of the United Nations visiting missions to the Non-Self-Governing Territories regarding their future political status so that the Special Committee can review the status of the Territories in accordance with the expressed wishes of the peoples of the Territory;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Requests the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the

specialized agencies concerned to continue to monitor environmental conditions in those Territories;

8. Calls upon the administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking, money laundering and other offences;

9. Stresses that the achievement of the declared goal of eradication of colonialism by the year 2000 requires full and constructive cooperation of all parties concerned, and appeals to the administering Powers to continue to give their full support to the Special Committee;

10. Urges Member States to contribute to the efforts of the United Nations to usher in the twenty-first century in a world free of colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

11. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

12. Decides to continue the examination of the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, and to report thereon to the General Assembly at its fifty-first session.

B. Draft resolutions on specific conditions prevailing in American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, Turks and Caicos Islands and United States Virgin Islands

1. American Samoa

The Special Committee,

Referring to the general resolution above,

Taking note of the fact that a large number of American Samoans have emigrated to the United States of America and are residing there,

Noting the constitutional developments in the Territory,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience lack of adequate medical facilities and other infrastructural requirements,

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to carry out, at the earliest possible date, a democratic exercise to ascertain the wishes of the people of American Samoa regarding the future status of the Territory;

2. Calls upon the administering Power to continue to assist the territorial Government in the economic and social development of the Territory and the development of manpower resources.

2. Anguilla

The Special Committee,

Referring to the general resolution above,

Noting that general elections were held in March 1994,

Conscious of the commitment of both the Government of Anguilla and the administering Power to a new and closer policy of dialogue and partnership through the Country Policy Plan for 1993-1997,

Aware that the exploitation of deep-sea resources would help reduce the risk of depleting the Territory's own fishing resources as a result of overfishing,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money laundering,

Recalling the dispatch of a United Nations visiting mission to the Territory in 1984,

1. Requests the administering Power to carry out, at the earliest possible date, an exercise to ascertain the wishes of the people of Anguilla regarding the future status of the Territory;

2. Requests all countries, organizations and United Nations agencies with deep-sea fishing experience to assist the Territory in improving its capacity in exploiting deep-sea fishing.

3. Bermuda

The Special Committee,

Referring to the general resolution above,

Noting the decision of the territorial legislature to hold the independence referendum scheduled for mid-1995,

Conscious of the different viewpoints of the political parties of the Territory on the issue of a referendum and the future status of the Territory,

Noting the measures taken by the Government to combat racism and the plan to set up a Commission for Unity and Racial Equality,

Noting also the closure of the Canadian base in 1994 and the announced plans of the United Kingdom of Great Britain and Northern Ireland and the United States of America to close their respective air and naval bases in Bermuda in 1995,

1. Requests the administering Power to assist the territorial Government in the preparation and holding of the independence referendum;

2. Requests the administering Power to facilitate the visit of a team of the Special Committee to observe the independence referendum in Bermuda;

3. Calls upon the administering Power to continue its programmes of socio-economic development.

4. British Virgin Islands

The Special Committee,

Referring to the general resolution above,

Noting the completion of the constitutional review in the Territory and the coming into force of the amended Constitution, and noting also the results of the general elections held on 20 February 1995,

Noting the results of the constitutional review of 1993-1994, which made it clear that a prerequisite to independence must be a constitutionally expressed wish by the people as a result of a referendum,

Taking note of the statement by the Chief Minister of the British Virgin Islands that the Territory was ready for constitutional and political advancement towards full internal self-government and that the administering Power should assist through gradual transfer of power to elected territorial representatives,

Noting that the Territory is emerging as one of the world's leading off-shore financial centres,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. Requests the administering Power to continue the process for facilitating the expression of the will of the people regarding the future status of the Territory;

2. Requests the administering Power, specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide assistance to the Territory for socio-economic development

and development of human resources, bearing in mind the vulnerability of the Territory to external factors.

5. Cayman Islands

The Special Committee,

Referring to the general resolution above,

Noting the constitutional review of 1992-1993, according to which the population expressed the sentiment that the existing relations with the United Kingdom of Great Britain and Northern Ireland should be maintained and that the current status of the Territory should not be altered,

Noting also the actions taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as the measures taken by the authorities to deal with those problems,

Noting that the Territory has emerged as one of the world's leading off-shore financial centres,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

2. Also requests the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

3. Requests the specialized agencies and other organizations of the United Nations system to continue and increase their programmes of assistance to the Territory with a view to strengthening, developing and diversifying its economy;

4. Calls upon the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, funds smuggling and other related crimes, as well as drug trafficking.

6. Guam

The Special Committee,

Referring to the general resolution above,

Noting the results of the general elections held in November 1994,

Recalling that, in a referendum held in Guam in 1987, the people of Guam endorsed a draft Commonwealth Act which would establish a new framework for relations between the Territory and the administering Power, providing internal self-government for Guam and recognition of the right of the people of Guam to self-determination for the Territory,

Aware of the continued negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory, with particular emphasis on the question of the evolution of the relationship between the United States of America and Guam,

Recalling the statement by the Special Representative of the United States on 12 December 1993 that he hoped to have a bill for the passage of the Commonwealth Act before Congress by the end of 1994,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power and the territorial Government to expedite the early conclusion of the negotiations on the draft Guam Commonwealth Act and on the future status of the Territory;

2. Requests the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. Also requests the administering Power, in cooperation with the territorial Government, to continue the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

4. Further requests the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the

Chamorro people and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue;

5. Requests the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture and other viable activities.

7. Montserrat

The Special Committee,

Referring to the general resolution above,

Noting the functioning of a democratic process in Montserrat,

Noting also the reported statement of the Chief Minister that his preference was for independence within a political union with the Organization of Eastern Caribbean States and that self-reliance was more of a priority than independence,

Recalling that a United Nations visiting mission to the Territory took place in 1982,

1. Requests the administering Power to conduct an appropriate exercise, at the earliest possible date, to ascertain the will of the people regarding the future status of the Territory;

2. Requests the specialized agencies and other organizations of the United Nations system, as well as regional and other multilateral financial institutions, to continue their assistance to the Territory in the strengthening, development and diversification of the economy of Montserrat in accordance with its medium-term and long-term development plans.

8. Pitcairn

The Special Committee,

Referring to the general resolution above,

Taking into account the unique nature of the Territory in terms of population and area,

Expressing its satisfaction with the continued economic and social advancement of the Territory, as well as the improvement of its communications with the outside world and its management plan to address conservation issues,

Requests the administering Power to continue its assistance for improvement of the economic, social, educational and other conditions of the population of the Territory.

9. St. Helena

The Special Committee,

Referring to the general resolution above,

Aware of the request by the Legislative Council of St. Helena that the administering Power conduct a constitutional review in the Territory,

Taking into account the unique character of the Territory, its population and its natural resources,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of St. Helena, in particular in the sphere of food production,

1. Requests the administering Power to conduct the constitutional review in the Territory, taking into account the wishes of its population;

2. Requests the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development of the Territory.

10. Tokelau

The Special Committee,

Referring to the general resolution above,

Having heard the statements of the representatives of New Zealand, the administering Power, and the Special Representative of Tokelau, who conveyed a message from the Council of Faipule to the Committee,

Recalling the Solemn Declaration on the Future Status of Tokelau delivered by the Ulu o Tokelau on 30 July 1994, that an act of self-determination in Tokelau is now under active consideration, together with the Constitution of a self-governing Tokelau, and that the present preference of Tokelau is for a status of free association with New Zealand,

Noting the emphasis placed in the Solemn Declaration on the terms of Tokelau's intended free association relationship with New Zealand, including the expectation that the form of help Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established in the framework of that relationship,

Noting also the Territory's concentrated focus in 1995 on strengthening its national institutions and creating a structure of government to meet modern needs, preparatory to the exercise by the people of Tokelau of their right to self-determination,

Acknowledging the endeavours of Tokelau to be self-reliant to the greatest extent possible,

Noting with appreciation the continuing exemplary cooperation of the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Recalling the dispatch of a United Nations visiting mission to Tokelau in 1994,

1. Notes, on the basis of statements made by representatives of the administering Power and Tokelau subsequent to the 1994 United Nations visiting mission, that Tokelau is working towards an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. Takes note of the expressed wishes of the people of the Territory indicating a strong preference for a status of free association with New Zealand;

3. Notes the readiness of the people of Tokelau to assume full governmental responsibility and to conduct their own affairs within the framework of a constitution, which is currently being developed;

4. Welcomes the assurances of the Government of New Zealand that it will meet its obligation to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

5. Invites the administering Power and United Nations agencies to continue their assistance to the social and economic development of Tokelau.

11. Turks and Caicos Islands

The Special Committee,

Referring to the general resolution above,

Noting recent changes to the Constitution of the Territory and the intention of the territorial Government to continue to campaign for further constitutional changes,

Noting also that general elections took place in the Territory on 31 January 1995,

Noting further the policy of the authorities of maintaining a balance between creating a more liberal investment environment while preserving access by the population to economic benefits,

Noting the increase in aid, particularly financial assistance, granted to the territorial Government by the Government of the United Kingdom of Great Britain and Northern Ireland,

1. Requests the administering Power to conduct, at the earliest possible date, an appropriate exercise to ascertain the will of the people regarding the future status of the Territory;

2. Calls upon the administering Power and the relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development of the Territory.

12. United States Virgin Islands

The Special Committee,

Referring to the general resolution above,

Noting that general elections were held in November 1994,

Noting also that the referendum on political status held in the Territory on 11 October 1993 did not yield any conclusive results,

Noting further the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community,

Noting the necessity to further diversify the Territory's economy,

Noting also that the question of Water Island is still under consideration through bilateral negotiations,

Noting further that, in 1993, the territorial Government purchased the assets of the West Indian Company, which had significant property and development interests in the Charlotte Amalie Harbour,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

2. Also requests the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States and the Caribbean Community;

3. Welcomes the negotiations between the administering Power and the territorial Government on the question of Water Island.